

IN THE SUPREME COURT OF SOUTH AFRICA
(WITWATERSRAND LOCAL DIVISION)

CASE NO.: 163/82

DATE: 16 AUGUST 1982

THE STATE VERSUS:

BARBARA ANNE HOGAN

BEFORE:

JUDGE VAN DYK

FOR THE STATE:

ADV J A SWANEPOEL and

ADV W J J HANEKOM

FOR THE DEFENCE:

ADV G BIZOS SC and

ADV D KUNY

CHARGE:

(SEE CHARGE SHEET)

PLEA:

(SEE RECORD)

VOLUME 6: Pages 501 - 593

LUBBE Recordings
Opnames

history and I understand something of the relationship that exists between the ANC and SACTU.

And the South African Communist Party? --- It had to be stupid of me not to know anything about the South African Communist Party. An understanding of it is indispensable to an understanding of the other groups in this country.

So you are also an expert on the South African Communist Party? --- Inasmuch as it is possible to be. It is a very secretive organisation and always has been.

On what is your knowledge of the ANC as it is today, based? --- As it is today, well first of all, to understand the organisation today, one must know something of its past. And of its past I am particularly well informed. I have for example examined something in the region of 60 reels of microfilm collected by American scholars of documentation on the ANC. I don't think I need to elaborate further on the historical dimension. On its contemporary and present circumstances, I keep up as much as I can with the literature that is produced by it, about it, around it, I talk to people who are informed about it, when it is possible to do so, though obviously not within this country, I interview people who are members of that organisation, in other words, I use all kinds of resources that any research student of an organisation could use.

I think in your evidence-in-chief you have listed quite a few people that you have spoken to, either members or ex-members of the ANC. --- Some of them are not all members of the ANC today, but that is quite true, yes.

You didn't deem it necessary to speak to an expert on the ANC that is in South Africa, like Major Williamson? --- That is a possibility. To be perfectly honest, it would

actually /

actually be rather difficult for me to do that. I am quite sure that Major Williamson would offer every co-operation. On the other hand, when you do research into these organisations, when you go and talk to people, I suspect that they would clam up very quickly if they know that you had also been talking to the opposite side - that is to a security policeman who had infiltrated the organisation some years previously. With this kind of research you have to be absolutely open in your dealings with the people you are talking to - they are often very suspicious people, and I think if I was known to have interviewed security policemen, I don't think I would actually gain access to personnel within the organisation at all.

It might jeopardise your position with the ANC? --- No, that would be putting it incorrectly, because that would imply somehow that I was partisan in some way to the ANC. It might though, mean that they would distrust me so much, because they are exceptionally suspicious and (paranoid ?) in that organisation in some respects, and it is scarcely surprising, that they would actually refuse to meet me.

But you would agree with me that for an expert it is necessary to hear both sides? --- Yes, and I endeavour to do so. That is one of the reasons, for example, why I pay so much attention to Court records and to police testimony in Court.

Now you have also said that you study publications of the ANC. --- Yes.

What do you refer to for instance? --- Well, the main ones that appear regularly - and I don't claim to see every single item because one has to consult them at libraries and the (runs ?) are frequently incomplete, but the main ones

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are Sechaba, which is produced - well, it is printed in East Germany and edited in London - which is a monthly magazine now, it used to be quarterly, and Mayaboyi which is an irregular, but it is supposed to be fortnightly, broad sheet, which I see from time to time. Another publication which is of great importance to anyone looking at the ANC is African Communist, which of course is not produced by the ANC but by the Communist Party. But these aren't the only things, because as well as that, the ANC from time to time produces its own documents, its own historical accounts and so forth.

The publication Pakhati, do you know that at all? --- Pakhati I had seen reprinted in Sechaba, I think. It is difficult for me to remember, because I have seen so many publications in the last few days, as a result of surveying evidence in this case. From what I remember though, Pakhati was a journal that was illegally circulated within this country.

Have you ever studied Pakhati, or read it on a regular basis? --- No.

The other journal, or whatever it is called, the Voice of Women, do you know that? --- Yes, Voice of Women I have seen from time to time. It is the ANC journal which is specially orientated towards women. It is edited by a women's movement within the ANC and it is concerned specifically with women and feminist issues.

How regularly do you see these ANC publications?, Sechaba, Mayaboyi and the others? --- Well obviously I don't get them through the post every month. What I do instead is from time to time I go to those libraries which keep them legally and consult them there. If and when the need arises. But I

would /

would say that for the last two years I've had reason because of my own research, because of writing, because of completing a book, and because of being called upon to help in cases like these, of actually consulting the relevant material fairly frequently.

Would you agree with me that to get a proper understanding of what the ANC is, one will get the best information in publications published by the ANC itself? --- No, not at all. I mean, I think they are an indispensable source, it would be very foolish to ignore them, but just as one wouldn't wish to understand ... or just as one ... I don't think one would get an accurate understanding of say, the Soviet Union purely from publications produced by the Soviet Government. So too with the ANC. It would be exceptionally naïve - for an academic that is - to take everything that it publishes at face value.

But for a Court to determine what the policies are of the ANC at this stage, the best documents to refer to would be those published by the ANC, and then recent ones. --- Well it would be presumptuous for me to actually instruct the Court what it should believe or what it should do. But I would say that obviously it should take into account publications produced by the ANC, but the importance of expert evidence, drawn from people who are presumably not partisan or members of that organisation but are academic onlookers, is that they are able to put these statements, these publications, in a certain context and place upon them a certain interpretation.

I assume that you accept that Major Williamson is also an expert on the ANC? --- Yes, of course. He has had a very privileged access to the organisation, one that I of

course haven't had. On the other hand, in some ways, the very advantages of his position I think have influenced the way he sees things, in a way that has not affected my own evidence. If I was in a position to judge between the two, I would take both into account. They are both very different kinds of evidence. But I wouldn't say necessarily that one was better than the other.

I think that it has been said that the ANC has a multi-dimensional strategy? --- I think those are my own words, yes.

Would you say that the ANC is a revolutionary organisation? --- I think one would have to define one's terms very carefully. If by "revolutionary" you mean that the ANC wants to affect profound changes and transformations in this society, I would say yes, I think it is revolutionary. If, though, on the other hand you mean by "revolutionary" that the ANC wants to change fundamentally everything in the society, that is its economy, its political system and transform it into something completely different, then no, I don't think it is altogether revolutionary. Of the liberation organisations that I know about, it is one of the more conservative ones.

And the third possibility? --- Third possibility?

An element of revolution? --- That the ANC has an element of revolution in it?

Yes, what would that revolution then be? --- I am not sure I understand your questions, I am sorry.

Would you say revolution means only to bring about change depending on the degree? Is that what revolution is? -- I think for the purposes of ordinary conversation, revolution means profound change. Without wanting to quibble, I think the ANC does seek profound change and therefore, within that

definition it certainly is a revolutionary organisation.

So when you refer in EXHIBIT 'T', at the bottom of page 5 to the ultimate nature of the revolutionary conflict, you just mean that the ultimate nature of the changes to be brought about, not the means by which the changes will be brought about? --- No. What I meant there was that the ANC in the strategy and tactics of the South African Revolution isn't actually very informative as to how exactly the transfer of political power that will be necessitated, if it is going to put into effect its program, how that transfer is actually going to take place. Whether it is going to take place for example over the negotiation table, or whether it is going to be, for example, a coup d'état such as the October revolution in Russia, in other words, it doesn't actually describe the final scenario in any detail.

When one says that the ANC is a revolutionary organisation, doesn't one imply it is an organisation attempting to bring about changes through violence? --- I would not say that violence was the sine qua non as it were of revolution. Some revolutions are not very violent. I think you would be...

COURT: I think we had perhaps concentrate on the ANC. --- Sorry, I beg Your Lordship's pardon.

And not dwell on generalities. We all know that violence is not a sine qua non to any... -- No, obviously not, but I mean, I have been asked about the ANC...

The question is whether the ANC envisages violence as one of its main aims in order to bring about revolution.

ADV SWANEPOEL: Yes. And in that sense it is revolutionary organisation? --- I am sorry, I don't want to quibble, but violence and revolution are not synonymous. I am perfectly

satisfied to say that the ANC includes violence in its program, but because it includes violence in its program it doesn't mean it is revolutionary.

How does the ANC and the Progressive Federal Party differ? They both want to bring about fundamental changes. How do they differ? --- They differ first of all in the nature of the changes - though not drastically - and they also differ on the methodology through which they seek to reach those changes.

So you would also say that the PFP is a revolutionary party? --- I think the implications of some of the ANC... of the Progressive Federal Party's pronouncements imply very drastic change, but I think it would give "revolutionary" a rather strange twist.

Yes. The difference between the ANC and the PFP is the use of violence to attain the goal. Isn't that.... --- That is certainly one of the important differences.

That is the difference. And that is why you wouldn't call the PFP a revolutionary party, simply because it doesn't use violence to try and attain its goals. --- No, that is not the only reason, but it would be one of them.

So if one calls the ANC a revolutionary organisation, it is because the ANC employs violence. --- Very well.

Do you accept that? --- Yes.

Do you know this book, the Comparative Study of Revolutionary Strategy by Mostafa Rejai? --- I am afraid I am not acquainted with that book.

Will you please have a look at page 9, it may be of interest. Page 8. We have marked the paragraph...

COURT: Is it an exhibit?

ADV SWANEPOEL: M'Lord, I will hand up a copy of the pages

that /

that I refer to, as EXHIBIT 'AA'.

You see there, at paragraph 8. "Revolutionary change does not take place except through violence. Violence is a basic ingredient, a conspicuous quality of political revolution. This is because, amongst other things, change is resisted by the existing authorities. A non-violent political revolution is a contradiction in terms."

Do you accept this? --- No.

Why not? --- Because it is incorrect. I can actually name one non-violent political revolution. Do you wish me to do so? It involves introducing a movement that is not directly of the interest of this Court.

Yes. --- In 1948 in Czechoslovakia a Communist Party took over the reigns of government, there was no bloodshed. I would call that a revolution.

Wasn't armed force used at all? --- No.

Was there any threat of violence? --- No.

The threat of Soviet military intervention, was that not a factor at all? --- There was no threat of Soviet military intervention.

I am not talking about an explicit threat. Isn't a Soviet threat, military threat, always a factor, when the Soviets say "We are going to take over your country"? --- The revolution that took place in 1948 in Czechoslovakia took place within that country because very powerful institutions in that country supported it, not least the army.

Yes... --- But it was not a violent revolution.

So you say that the threat of Soviet military power was not present at all? --- It certainly didn't enter into the decisions that were made at the time.

How do you know that sir? --- Because I have read

studies /

studies of that particular revolution. Look, I am not trying to score a point. All I am saying is, as a generalisation so broad and so all-embracing as this, obviously raises problems. I agree that most revolutions tend to be violent.

Yes.

COURT: Mr Swanepoel, who is the writer of this book?

ADV SWANEPOEL: Could you just read it out? --- Mostafa Rejai.

COURT: Who is he? --- He received his Doctor of Philosophy from the University of California, he is now a professor of Political Science at Miami University, Ohio.

ADV SWANEPOEL: Well let's turn to page 45 and see what he says there. I think I have also marked it, at the bottom of the page. --- Oh. Very well. Would you like me to read it out?

Yes please. --- "Leadership, ideology and organisation are quite literally intertwined. Without competent leadership both ideology and organisation are likely to remain ineffectual. Without organisation, ideological mobilisation is likely to collapse. Without ideology, mass mobilisation will not get off the ground. Ideology helps capture respectability for the revolution, its leaders, its activities, its goals and objectives. Effective leadership and organisation make possible effective deployment of terror and violence. Effective ideology helps to justify it."

What is your comment on that? --- I think it is quite a perceptive comment on leadership. It is not actually the notion of ideology that I would subscribe to, but it has a perfectly respectable pedigree.

Yes. One can apply this to the ANC? The importance of leadership, ideology and organisation that are intertwined.

--- Yes, I think I would. I would have reservations about the final sentence, on the whole, within the political science definition, the ANC doesn't employ terror. But most of the paragraph I think would be a fairly useful generalisation.

When you say the ANC does not employ terror, what do you mean? --- I mean that at this stage, and I am not prophesying what may happen in the future, at this stage the ANC on the whole tries to build its support amongst its own constituency, which is the African population, by upraising its prestige and popularity rather than by intimidating people to support it. If it was to use terror, the kinds of tactics that I would expect it to use, would involve, for example, bombs in supermarkets, assassination attempts of popular political leaders who are not directly of the ANC and so forth. And these, so far, on the whole, it has refrained from doing.

While we are talking of this, what would you say is the purpose of sabotage and attacks on civilians in South Africa by the ANC? Isn't that to instill terror and fear and to intimidate the citizens of the country? --- The sabotage attacks that have taken place on strategic installations, SASOL and so forth, have mainly been, I think, with an exhibitionistic purpose, of saying "Look, we are here, we are important. Listen to us." Attacks on civilians - by civilians I think you mean anybody who is not actually a member of the South African Defence Force?

Yes. --- Attacks on civilians have been limited on the whole, I am not justifying these attacks, but have been limited to people that the ANC for one reason or another believes are-morally culpable for the present and existing state of things. That is policemen, people who are...who

have co-operated with courts, for example, State witnesses, and so forth. In other words, the ANC has been discriminating in its choices of targets, and makes great play of the fact that it tries to prevent the loss of civilian life. This puts it in direct contrast with open violently terrorist organisations.

So would you say in general that the ANC does not employ violence in order to induce terror and insecurity amongst the population in South Africa? --- I think that is true at this stage. It may use them later on, but at this stage, no. I think it is more concerned about raising support rather than frightening its enemies.

Will you please have a look at what I have marked as EXHIBIT 'BB' and tell the Court what this is. It is a document entitled: "Scanty information on ANC's origins" and starts by saying: "Thom Lodge, Lecturer in Political Science at the University of the Witwatersrand in Johannesburg, wrote this article in the light of the "free Mandela" campaign." Do you recall this article? --- Yes, I wrote it, actually, I was commissioned to write it by the Institute of Race Relations. The caption at the top makes it sound as if I wrote it as a contribution to that campaign, which isn't true.

But you wrote this article? --- I did write the article, correct.

Please look at the last column, the right-hand side column, under the heading: "Rural", the second paragraph. I don't know how good your copy is, shall I read it to you? --- Yes. I can actually explain that last paragraph.

COURT: Where is...what portion is it?

ADV SWANEPOEL: The second paragraph, the right-hand column.

--- Do you want me to read it?

Yes please. The second paragraph under the heading "Rural". --- Yes. "The recent Silverton and Booyens raids indicates a switch in strategy from a campaign on gaining the endorsement of the black population to the promotion of feelings of terror and insecurity among the minority population."

Why did you say that sir? --- I wrote the article because it was at a time when there was very little information available about the Silverton raid. If you remember, that was the incident in which the insurgents took hostages and it led eventually to them being shot, you know, when the bank was surrounded by police and so forth. There was absolutely no information on the raid except that it was generally thought to have been ANC inspired, and consequently I had to take that into account when I wrote this article. It would have not been honest to have done otherwise.

Well I have asked you a while ago, does the ANC use violence for the purpose...I used the words, of inducing feelings of terror and insecurity, and you said no. But in this article you wrote, "The ANC has changed its emphasis to...." --- Well I argue exactly the opposite to what I have been arguing just now.

Yes, that is correct. --- The article...

COURT: Now which one do you want me to believe? --- I would prefer you to believe what I have been saying just now Your Lordship.

Yes. Why should I reject your article? --- Because the article is a piece of journalism, it was written two years ago on the basis of inadequate information. It was actually pulling strands of information that were available

and /

and trying to make sense of them.

And what made you change your mind? --- What made me change my mind was the very long trial in which a lot of the information about the Silverton raid came out. And where it became obvious from the testimony of some of the accused, none of these people were actually directly involved in the raid, that the raid itself seems to have been done on the initiative of the three people involved, rather than as the result of general instructions that they received. In other words, that they were disobeying, or at least going at variance with the general strategy that was prescribed for them.

ADV SWANEPOEL: Were you an expert on the ANC two years ago? --- Yes. Though not with the same degree of expertise as I have now. One always acquires more knowledge as the years pass. But many experts are often embarrassed by statements and articles that they wrote two years ago.

Yes. That is, when you change your opinion, you may be embarrassed. --- Of course.

Yes. --- Well I am not actually terribly embarrassed, the article was written in good faith then, and what I am saying now is in good faith.

Why would a person join the ANC in order to bring about changes, and not for instance the PFP? --- They may feel that the ANC is a more effective vehicle for bringing about changes.

Why? --- Because the PFP campaigns exclusively within the domain of white politics. That person may feel that black people in this country, in the end, ultimately, will decide what eventually happens in this country.

Why would a black person join the ANC to bring about

changes and not take the stance of say, Buthelezi? To work for change inside South Africa quite openly? --- A black person who joins the ANC is usually someone who has rejected the possibility of working within the system, in the way that Buthelezi works, within the system.

Wouldn't a person join the ANC because the ANC employs violence and the person would then accept that change can only come through violence? --- That may well be one of the motivations of many of the people who join the ANC.

That could have been the motivation for the accused, when she joined the ANC? --- It could have been, yes.

Would you agree that a revolution involves a process? It doesn't take place overnight? --- Usually revolutions take place after a very long process, yes.

And a revolutionary organisation like the ANC must then have a certain strategy in order to bring about the revolution? --- All organisations normally have strategies, yes.

Also the ANC? --- Also the ANC, yes.

Isn't it so that in the ANC publications, the ANC spells out certain non-violent actions, that are part of the process of bringing about revolution? --- That is correct. Indeed, can I go further?

Yes? --- It would probably argue that without those non-violent processes, what it calls revolution, would be unlikely to happen.

The military struggle is dependent also on the successes of the political struggle? --- That may be something the ANC says. I presume you have quoted it? I'm not altogether certain of the argument that underlies it.

Well, does the ANC say that? --- It quite frequently

does, yes.

Now Mr Lodge, you say you are an expert on the ANC, I just want to put certain things to you. You have made a statement for the Magistrates' Court, the Inquest Court, that is the inquest into the death of Dr Aggett. --- That's correct.

You made three different statements. --- Yes.

I want to refer you to the second statement that you made, I will read to you a certain passage from that statement. You say: "Oliver Tambo is not usually referred to as O.R. Tambo, and his position in the African National Congress is officially designated as President General and not President." Did you say that? --- I did say that.

In a sworn statement. --- Yes.

As an expert. --- Yes.

I want to put it to you, you are not correct. Please have a look at some of the exhibits that you have handed in here. Please look firstly at EXHIBIT 'C'8. You can have my set. Please tell the Court what publication it is and how it refers to Tambo? --- It is Sechaba I think, is it not? 'C'8. Yes. President, O.R. Tambo.

Yes. So you are wrong in this statement that you made for the Aggett trial? --- I said "usually", but I accept that I may be wrong on that point.

Yes. But that is not the only one that I want you to refer to. There are about six or eight of them. Please also turn to EXHIBIT 'C'12, the second page. 'C'11, the second page. Just under the photograph. Now what is Tambo called there? --- He is called President - Pres. actually.

Yes, and... --- And C.D.E.

President, /

President, who...? --- No, sorry! Pres. Tambo.

Yes. O.R. Tambo? --- No, just Tambo.

So, he is also referred to there as President? --- Yes.

Yes. Please turn to 'C'12. The next one. 'C'12, page 2. --- That is President O.R. Tambo.

Yes. Please turn to 'C'17, page 1. --- I will take your word for it.

Well, you had better read it out please. --- Okay, if you want. 'C'17. President O.R. Tambo.

Yes. 'C'20, page 11. --- "The ANC President, Comrade O.R. Tambo".

Yes. So your statement at the Aggett Inquest Court was not correct in that respect? --- In that respect.

Why is that possible Mr Lodge, if you are an expert? And if you have studied the ANC publications? --- I have studied the ANC publications. The designation of Tambo has changed recently. It was a statement that was produced in considerable haste. I admit that on that particular occasion, on that particular point I was wrong.

Are you saying that the designation of Tambo changed only after you made your statement? --- No, I am not saying that.

So why did you make these mistakes sir, if you are an expert? If you try to assist the Court objectively and if you make a statement under oath? --- Well you are not suggesting that I knowingly lied to the Court?

I am asking you to explain, I am not suggesting anything. I will argue that sir. --- I made the statement on the basis of information that I had, as you have demonstrated, the information in this particular case was inadequate. Insufficient.

Yes. /

Yes. How do I know that you've had adequate information before you prepared your statement for this Court? --- Well you must judge the sources which I have used. I tried to substantiate my generalisation by reference to particular documents.

You have used the same sources when you compiled that statement. --- No, that is not altogether true, I am sorry. May I actually talk about that statement? The statement was in reference to a leaflet, a leaflet that was circulated, I believe, on the day of Neil Aggett's funeral. I think I am correct?

Yes. --- The lawyers needed from me an affidavit which I prepared in good faith for them. It was prepared, we all know sometimes the circumstances in which expert evidence is called in Court, it was prepared with some speed. It isn't always very easy for me to consult a very wide range of sources. They are not locally available, not easily available, one has to go to Pretoria and so forth. I did my best under the circumstances.

And you took the oath. It is a sworn statement? --- It is a sworn statement, it was made in good faith.

In EXHIBIT 'S' sir, EXHIBIT 'T' that we handed in, on Friday, page 5, towards the bottom you refer to Joe Slovo. --- I am sorry...

That is the document, "Memorandum a possibility of someone who has disassociated himself with the violence of Umkhonto we Sizwe". --- Correct.

Please look at page 5.

COURT: What page are you referring Mr Swanepoel?

ADV SWANEPOEL: Page 5. You refer to Joe Slovo, Chairman of the ANC's Revolutionary Council. --- Correct.

Isn't Oliver Tambo the Chairman of the Revolutionary Council? --- If that is your information ... I based this description on Joe Slovo on the numerous press reports that designate him as such. It is possible that Oliver Tambo as President of the ANC actually is formally the Chairman of the Council. Joe Slovo is often described as Chairman of the Council simply because, at his fairly frequent sessions, it is he that normally presides over it, and he is thought to be amongst probably the foremost strategist on it.

Would you agree with me that for an expert, especially an expert, it is dangerous to rely on press reports? We all know how faulty they are. --- One of the difficulties of discussing secret organisations and illegal organisations, particularly in this country, is sometimes the quality of information available. I try, when actually talking about something which is of real importance to the Court, to ensure that my sources are impeccable. Joe Slovo, whether he is not formally a Chairman of a particular body, is certainly its most prominent member.

I want to put to you that Slovo is a member of the Revolutionary Council and a Deputy Commander of Umkhonto we Sizwe. Is that correct? --- That may be the case.

You are not sure? --- A Deputy Commander of Umkhonto we Sizwe is not a rank that I was acquainted of in the case of Joe Slovo. It is certainly true that he holds office in Umkhonto we Sizwe.

What is the Revolutionary Council? --- The Revolutionary Council is a body which is specifically concerned with the direction of the military struggle. It is responsible for the direction of Umkhonto we Sizwe, and it is responsible to the ANC National Executive.

It /

It directs the armed struggle against South Africa?

--- On a day-to-day basis, yes.

Do you know what zonal attack groups are? --- It is a phrase which I heard first of all in this Court.

You don't know what it is? --- No. Apart from the implication or the meaning or interpretation that was suggested in this Court.

Would you agree with me that if zonal attack groups function under the Revolutionary Council, it should have a military purpose or a military nature.

COURT: Well the witness just said that he does not know what a zonal attack group is. So perhaps he is not an expert on that particular issue. --- I am sorry, I can't help you there. I mean, that would be the logic of my argument, but I am not exactly acquainted with zonal attack groups.

ADV SWANEPOEL: How do you see the ANC achieving its goal to bring a change in South Africa? Will it be only through violence or also through other means? --- How do I see it?

Yes. As an expert. Not your subjective view, but objective to assist the Court. --- I would see the ANC achieving its goals in South Africa, certainly with the aid of violence - you'd be arguing in the face of facts to deny it - at the same time I think it is quite likely that it would, and it is attempting to do so, mobilise either by inspiration, or through direct infiltration, or guidance, other organisations in this country to support its general aims in the hope that eventually when the time came for the ANC's actual support and strength to be assessed, in whatever negotiation process took place, and I believe that the ANC itself surely sees that negotiation at one stage or another

will /

will be fundamental, it would be flying in the face of a president who did not, that that support within the country would be very important to it actually, if you like, taking over the government.

Would you agree with me, the ultimate aim is to overthrow the government by means of violence? --- Overthrow the present government, if violence will help to do so, the ANC will use it.

No, that is not the question. Is the aim to overthrow the government by means of violence? --- I think the aim is to overthrow the government and the ANC has no scruples about using violence in doing so. So, yes.

Is it so that the ANC says it is going to implement the Freedom Charter in South Africa once it takes over? --- Yes.

It also says that the Freedom Charter will only be implemented after they had won the armed struggle? After violence has been used? --- Yes. After the government has been overthrown.

By violence? --- Yes.

Do you know the term, mass insurrection? --- I know the term.

What does it mean? --- It normally means a popular undisciplined insurrection involving, for example, street fighting, barricades and so forth.

Does the ANC foresee mass insurrection in South Africa? In the attempt to overthrow the government? --- In some of its documents, it mentions mass insurrection. It doesn't mention it in its official strategy document. These things are often written very loosely. Hence the difficulty of interpreting them.

Please have a look at EXHIBIT 'CC', extracts from the document "ANC Speaks - Documents and Statements of the ANC". You can have a look at the book, we've made copies from certain pages. --- Thank you.

Just look at page 134. See at the bottom: "Forward to armed seizure of power" and that is a statement by the National Executive Committee of the ANC. Do you see that? The bottom of page 134. --- Yes.

"Forward to armed seizure of power". --- Correct yes.

Please turn to page 135. Please start reading that out? Please read out the first three paragraphs. Starting at the bottom of page 134. --- "The present historical moment in our struggle for the forcible seizure of power by the black majority in our country is characterised by an accelerated revolutionary upsurge of mass based activity which has given new impetus to the process of polarisation of forces. This popular upsurge^{which} is drawing in all the oppressed nationalities and virtually all sections among them, the workers, the peasants, the middle strata, the youth and the students, is expressing itself in more or less permanent organisational forms. In the last few years for example, there have come into being a number of black organisations whose programs, by espousing the democratic anti-racist positions that the ANC fights for, identify them as part of the genuine forces of the revolution. The limits of this trend are not yet in sight. It can be expected that more of such organisations will be formed as various sections of the oppressed people enter the struggle more extensively and purposefully. The people are not only creating new organisational centres, aimed at greater mass mobilisation for the achievement of a revolutionary democratic transformation /

transformation of South Africa, but they are also upgrading the neutral non-political mass organisations into centres of militant struggle, consistent with the enhanced revolutionary combativeness of increasing numbers of the people."

What is your comment about that passage? --- It is an interesting one. It was produced in 1973 at the time when both black consciousness organisations and workers strikes in Natal occupied the centre of the stage. The ANC then as an organisation, virtually without any internal organisation in this country, is obviously trying to, as it were, bask... 10 or rather, try to collect some of the glamour, or some of the attention that was being devoted by, at that stage, to those organisations and events in the country. Incidentally, the ANC changed its attitude towards these democratic...sorry, "number of black organisations whose programs, by espousing the democratic anti-racist positions..." and so forth, rather later on. But at that stage, with black consciousness, seemed to be the main political force in the townships, the ANC was keen to associate itself with it.

Do you agree that the ANC would like to transform mass 20 organisations into centres of militant struggle? In other words, to use mass organisations as part of their struggle? --- Oh yes.

Please turn to page 140. Towards the middle of the page we have marked a passage. Will you please read that out, starting with "In a struggle..." --- "In a struggle such as ours which pursues the strategic objective of seizure of power, and not reforms of a negotiated transfer of power, the conscience and purposive participation of the masses in the struggle on their own behalf and relying on 30 their own strength, is of decisive importance."

This proves the importance of the masses and mobilising the masses in South Africa, for the overall struggle? --- Correct.

The big revolution. --- Correct.

Please look at page 143. At the top of the page please. --- "It is an urgent necessity that we intensify the struggle, particularly inside the country. Current developments show that this would split and confuse the enemy. Hence we must aim a series of continuous assaults at the citadel of oppression. We must introduce an element of professionalisation into our methods, making it difficult for the enemy to cope with the increased tempo of the struggle. We must increasingly demonstrate to the white population that their regime of terror is incapable of providing security and stability. In the legal struggle the idea which all the forces of the revolution must pursue with consistency is mass action. Mass action as the main tactic, mass action to involve the people in struggle."

Please skip one paragraph, then the next one please. "It is important...." --- "It is important to realise the fact in practise that liberation cannot come about through the actions of only one or a few sections of the oppressed population, however militant these actions may be. The whole population has to be committed and engaged in struggle."

And then the last page, page 144. The first paragraph there that we have marked. --- "Increasingly it becomes ever clearer to the people that in the final analysis the only way out of their terrible condition is armed struggle or armed seizure of power."

Yes. And the bottom of the next paragraph we have also marked a portion. --- "The time has come for our

movement to show clearly that the way out is the destruction of the white dictatorship through a protracted armed struggle that must culminate in the armed seizure of power."

Do you accept that that correctly reflects the ANC...

--- Yes, the ANC...

...the ANC's aims? --- Quite conceivably have produced that document more recently.

Yes. And that is their aim of the use of mass action, that is the title at the top of the page I think. ---
Sorry?

That is how they see the employment of mass action to bring about revolution. --- Yes. Mass action in the sense of creating, you know, a particular crisis, yes.

Would you please have a look at this as well. It is an extract from an ANC 1982 diary. Have you seen this diary?
--- I am sorry, you will have to show it to me.

The 1982 diary, have you seen it? --- Is it like a pocket diary?

Yes. --- No, I haven't seen that.

Please look at that extract from the diary, I have marked two portions with an arrow. Will you please read it out? --- "What does an all-round offensive within South Africa mean? The ANC has decided to engage the enemy on all fronts, political struggles, trade union activity, including strikes, school boycotts, struggle on the religious front, peasant revolts, military actions, such as the Sasolburg explosion. Umkhonto we Sizwe, the military wing of the ANC always attempt to apply military theory to our concrete conditions. We always avoid a head-on confrontation with the enemy, we strike at its weakest points." And
you want me to read the other....?

The other part on the right-hand side? Will you read that? The left-hand column there is one arrow, and then the right-hand column there is another one. --- Oh, sorry, I have read the right-hand one first. "We decided on armed struggle in 1961 because our own experience had convinced us that the enemy was not prepared to concede to our demands. By armed struggle we understand an all-round confrontation with the enemy, a political confrontation which includes armed struggle is an integral part."

Yes. Is that a correct reflection of the ANC aims and policies? --- Yes, it is much the same argument as some of the views that I have (reproduced ?) in my own document.

Would you say that the ANC sees trade unions and workers as tools in the struggle to bring about revolution? I think you have just read something about trade unions? --- Certainly ANC sees workers as a very - I think the word they use, as a very important, or fundamental, very important force, in the struggle.

Trade unions? --- Trade unions similarly.

Do you say - I think you say in your statement... Will you please turn to page 8 of your statement, EXHIBIT 'T'.

--- Yes.

You say, towards the middle of the page: "Her chosen field, labour, is an obvious area in which the ANC would wish to make its influence felt without diverting worker organisations from the principal tasks for which they existed." Now what are these principal tasks? --- The principal tasks of trade unions are to engage in struggles... well, not necessarily in struggles, but to engage themselves on workers' behalf on the factory floor, to improve conditions, raise /

raise wages and so forth, for workers.

"And also to mobilise the oppressed people into mass action as part of the struggle"? --- That would, for example, include strikes, to achieve better wages, yes.

Yes. You in fact refer to the same quote on page 3 of your statement, at the bottom. The quote by Alfred Nzo. --- Yes.

At the bottom you say, "The ANC activists were directed to ensure that their organisation should pay attention to the principal task for which they existed, the task of mobilising the oppressed people into mass action." --- Yes.

So the ANC says that is the principal tasks of the trade unions? --- Within their own specific sphere, yes. It would be incorrect, I think even in the view of the ANC, for trade unions, say to lead a township strike, or demonstration.

Yes. Are you aware that the ANC describes workers as "the backbone of their striking power"? --- That is perfectly true.

I am referring to EXHIBIT 'C'18 M'Lord, page 6. --- Yes.

And if you look at...turn to page 8, you will see that they say that the workers should be activated? --- "The trade union movement for the advancement of the interests of the workers"....Yes.

Can I read to you something as well from EXHIBIT...from the document "Strategy and Tactics of the African National Congress". You are familiar with this document? --- Yes.

That is EXHIBIT 'K'13 M'Lord. Page 33 at the bottom. There is reference to the working class and then it is stated: "Its political organisations and the trade unions, have played

a fundamental role in the shaping and advancing of our revolutionary cause". Further on in that paragraph it says: Its militancy and political consciousness as a revolutionary class, will play no small part in our victory and in the construction of real people South Africa." This also reflects the importance of workers and trade unions in the struggle. Is that correct? --- Yes.

And then I would also like to refer you to page 27 of the same document. And I will read to you from the top. It refers to - there is reference to a new kind of South Africa. "A South Africa in which there is a large, well-developed working class, whose class consciousness and in which the dependent expressions of the working people, their political organs and trade unions are very much part of the liberation front." So, is it correct that they regard the trade unions and the workers as part of the liberation front? --- That is certainly correct.

It is also said towards the bottom of that page, "In the last resort it is only the success of the national democratic revolution which, by destroying the existing social and economic relationships, will bring with it a correction of the historical injustices perpetrated against the indigenous majority, and thus lay the basis for a new and deeper internationalist approach. Until then the national sense of grievance is the most potent revolutionary force which must be harnessed." That is also correct? --- That is correct.

You have said in your statement that trade unions are organisationally unsuited to play a role in the ANC's struggle. Is that correct? --- This is on page....?

Page 6 of EXHIBIT 'T'. --- No, I didn't say that. Or rather, when I meant the actual contribution they made to the struggle against the State, I meant the State in the narrow sense of state power. That is that trade unions should not confront the state in terms of using their organisation, you know, in a military kind of way.

Please read out what you say in your statement. --- Yes.

Page 6, towards the bottom. --- "This could be the fate of ANC influenced trade unions for example. Their real value to someone who desired revolutionary change in South Africa (not necessarily the ANC the implication here) would not be so much the actual contribution they made to the struggle against the State, for which in any case they are organisationally unsuited, but rather their existence as emocratic representative organisations will provide a guarantee that the future political dispensation will be responsive to the needs of those at present oppressed and exploited."

So what are you saying there sir? --- I am saying this: I am saying that a revolutionary desiring change for example in the direction of socialism in South Africa, will be interested in expanding the role of trade unions in the hope that trade unions would survive to a future dispensation and continue to protect the interests of the workers. There have been many socialist revolutions, or avowedly socialist revolutions in Africa, which have ended up with the trade unions being suppressed when independence comes.

Are you saying that is the - that is how the ANC sees the value or the use of trade unions? --- No, I am not saying /

saying that the ANC says that. I am saying that "their real value to someone who desired revolutionary change in South Africa..." After all, the document is concerned with opening up a conceivable position, or rather, assessing the likelihood of a particular individual's motivations, rather than the ANC as a whole.

Well, to cut it short, what you say here in your statement, is that your personal opinion and not ANC policy? --- This is my personal opinion. I have said that the vagueness of the ANC's documents lays them open to some speculation, I made it clear that it was speculation, and my speculation at that.

So, also when you say they are organisationally unsuited, that is merely your opinion? --- Oh no! I mean, to use trade unions for struggles outside the arena for which they are particularly designed, is very impractical and very foolish, and there are plenty of people who would support that argument.

No, I am not talking about plenty of people, I am talking about you as an expert opposed to the ANC. Does the ANC see them as organisationally unsuited? Or is that your opinion? --- The ANC's position, vis-à-vis trade unions isn't altogether clear and changes from time to time. But the ANC's policy with regard to trade unions, seems to be that trade unions should conduct the struggle for liberation within the workplace. Within the factory.

Do you know about Lenin's theory on trade unions? --- I do.

Is that the same as your view? That you have expressed? -- No. Lenin's theory on trade unions sees that trade unions, though useful in the process of developing a revolution- ary /

ary consciousness, nevertheless have certain limitations. That is not the view that I have expressed.

Would you agree with me that the ANC sees strikes as a tool in the revolution? -- Yes.

Would the same apply to boycotts? --- Boycotts, strikes, and so forth.

I want to refer to 'C'18 M'Lord, page 6. Can I read you something. The right-hand column, about three-quarters down. "The past 70 years have witnessed unending efforts by the working people to combine and use their collective strength to defeat the oppressor. In the process, confrontations, skirmishes, economic strikes, boycotts, anti-pass campaigns, defiance campaigns and other forms of struggle took place all over the country. All these served as a practical school for drilling and training our revolutionary forces. Gradually they have grown in strength and experience and now pose a real threat to the system of apartheid. They form the backbone of our striking power." Is this a correct reflection of ANC aims or policy or strategy? --- The ANC is talking about its history there, and it is certainly the way that it understands and conceptualises its history. 10 20

The ANC says that the strikes and boycotts etc., "served as a practical school for drilling and training our revolutionary forces". --- That is the way the ANC sees those events today. Yes. But it is talking here about the past. It is not talking about future strategy.

Are you saying that the ANC says, "In the past this has been the position, in future it is not going to be"? --- No, I am not saying that. I am just commenting on that particular passage. 30

COURT: Why do you stress the fact that it refers to the past? --- Because I was asked Your Lordship, whether that is a reflection of ANC strategy.

Well, is it, or isn't it? Today, or only in the past? --- That strikes, boycotts, and so forth, all have a valuable role? Yes, it still has a part in the ANC's strategy.

Why do you find it so difficult to make that concession? --- No. I will make the concession.

Yes. Why do you find it so difficult to make it? --- 1
It is not a difficult concession for me to make Your Lordship.

Well, I have to assess eventually your behaviour in the witness stand. That is why I am putting it to you, to see whether you can give me a reasonable explanation. --- Sorry Your Lordship. I was actually particularly concerned with the words, strategy and aims of application. To that particular sentence. Because I don't think the sentence itself is concerned with strategy. But perhaps I was being over-academic about it and I apologise.

ADV SWANEPOEL: Please have a look at EXHIBIT 'DD' and tell 2
the Court what it is.

ADV BIZOS: M'Lord, my learned friend made reference to a diary. Did you not hand that in...that was not handed in as an exhibit?

COURT: I don't think it was.

ADV BIZOS: If it was intended to be handed in, that should be 'DD' M'Lord.

ADV SWANEPOEL: It should be 'DD'. This document will then be EXHIBIT 'EE' M'Lord. Do you know that document?

--- Yes, it is a paper I wrote, three, four years ago. 3

What was the purpose of that paper? To try and prove,

or say what? --- The purpose of the paper was to attempt to demonstrate using the example of a community struggle conducted und the issue of busfares and the 1950's, to attempt to demonstrate that the ANC at the time of its peaceful struggle, missed certain opportunities. That it could have actually exploited those troubles more effectively.

In other words, that community struggles can be exploited by the ANC? --- Yes, of course.

Please refer to the second paragraph on the first page, perhaps you can explain to the Court in your own words, what it means? --- The second paragraph?

Yes. Starting with...yes, about the three approaches. Well, you can set out the three approaches basically, if you would, if it is possible. --- Yes. Sorry, it is a bit difficult for me, this is a complex argument.

Otherwise, read it out. --- And I have written it a long time ago. Do you want me just to read it out?

Yes. If you want to do so. Otherwise you can explain it. --- I say, "There are three principal approaches.."

That is now to the use of boycotts? --- No, I think to the period as a whole, that this paper is about. But I may be wrong. The first is the one adopted by members of the political organisations concerned. Using the wisdom of hindsight, they tend to interpret the history of the period as involving a careful and logical unfolding of a continuous ground strategy which has the effect of raising the level of mass political consciousness to further heights, hastening the arrival of all the necessary conditions of a successful revolution, the role of the party is that of a vanguard - it plans campaigns which in terms of the proclaimed objectives are doomed to failure, which in their frustration /

frustration have the effect of lifting the scales from the eyes of those who hitherto believed their sufferings could be ended within the confines of existing political and economic framework." Sorry, do you want me to go on?

Yes, yes please. --- "Each campaign elicits a cumulatively more savage response from the authorities which in turn deepens the mass's hatred of the system, and their willingness to confront it whatever the penalty or cost." And in fact, I am summarising much of Slovo's argument. "The first approach therefore, involves the vision or conception of a politically inert mass which initially must be activated by a catalyst, in this case..." - in the case of the paper that I am writing about - "...the African National Congress and its allies in the congress movement."

Now before we continue, this first approach, is that an approach adopted by the ANC? --- It certainly is an approach adopted by ANC spokesmen when describing its history, yes.

Also by the SACP? --- Yes.

I think the second approach is not relevant to us at this stage. Could you refer to the third approach? --- Yes...

Well please have a look at the second approach, but you don't have to read it out. --- Oh the second approach is one that suggests in fact that the ANC was a conservative organisation that had been outpaced by popular...(inaudible) and that it attempted to restrain it.

I am told it can best be described as a unity movement position. And that the ANC and the SACP would describe it as purist, or theoreticist, or revolutionary puritanism. --- Certainly that was the way the unity movement used to criticise

the /

the ANC yes. Of this approach.

And then the third approach? -- Do you want me to read out the whole paragraph, or just...

No, you can just find the core of it. --- Yes.
"Ideally the role of the political organisation is an ambivalent one. On the one hand it tries to control and direct the energies of spontaneous protest, often attempting to divert it away from activity which is perceived to be unprofitable and wasteful..." I would imagine, it is a typing error, "...thus in a sense it seeks to curb the implicit violence of mass disaffection. On the other hand, organisations try to sympathetically interpret popular emotion, to locate the immediate grievance and the matrix of grievances, to employ the raw energy of communal protest in a politically constructive measure, to ensure that the short-term victories are gained, and seen as victories and not as concessions, not as signs of weakness in authority and hence stages along the road of confrontations involving progressively more vital and important issues. In this sense compromises to gain short-term victories, while they are open to the accusation of reformism and of blurring the focus and dissipating the emotion of spontaneous protest, are tactically vital in any long-term strategy of revolutionary implications."

Is this an approach followed by the ANC? --- On the period that I was writing about...I don't think honestly it is, no. I was using this particular approach as a basis to actually criticise the ANC. I think the ANC today might draw on this approach, but this is a...this is drawn from sociological writings, and a very academic nature, not strategic documents.

From your own point of view, would you say that the ANC would have benefited at all by employing approach No. 3? Than employing approach No. 1? --- I am sorry, but the point of this argument was that it didn't employ No. 1 anyway. But certainly it should have employed approach No. 3. What I was really trying to demonstrate was that there were opportunities which the ANC did not recognise at the time. I use the same argument, for example, over its adoption of violence in 1961. There were opportunities then for furthering its cause without turning to violence. Which it didn't take advantage of.

Will you turn, I think to the next page. Can you please turn to page 29, paragraph 4.3. --- Yes.

Can I ask you to turn back to page 4.2. Page 28, paragraph 4.2. First the role of political organisations in these movements. -- Yes.

You say they can perform a useful function? --- Yes.

"In the case of Alexandra, the ANC with its vastly superior system of intelligence, compared to the more localised groupings, was able to make strategic and tactical decisions that ensured a victory over the fare issue. By co-ordinating straggles elsewhere with those of Alexandra and Pretoria, the ANC was to add substantially to the boycott's impact. Moreover, the boycotters were gradually being persuaded to look beyond the bus company, beyond a symptom to the cause of their poverty." --- Correct.

Do you agree with this statement? --- Yes.

That, once again, sets out the position as it also is today. The ANC can today use a boycott to this end? -- I should imagine so, yes.

Then paragraph 4.3, what is that about? That seems to be /

be a criticism of the... --- Yes, it is criticism of the ANC for neglecting a particular struggle which became a very violent and bloody one.

That was in Evaton, and you say - "Evaton represents a sin of omission for the ANC", and then I leave out one sentence there, and you say - "No attempt was made to channel resistance towards political ends. The struggle was the foremost in the true sense of the word, to use Legasic's (?) phrase, its internal logic did not lead to a questioning of the system as a whole." --- Yes.

So the omission was to... --- If the ANC's aim at that time, which it was, was to expand its influence, expand its power, then Evaton was a sin of omission. It could have gained a great deal of support by intervening directly in the boycott.

And in an issue like this, the ANC will have to use its...will have to use political work in order to mobilise the workers. --- In an issue like...? I'm sorry?

In an issue like this - you say, no attempt was made to channel resistance? --- Yes.

If the ANC today wants to channel resistance, for instance, in a case of a boycott, it will have to make use of other means than military means. --- Obviously, yes.

So would you say that - would you see boycotts as part of the revolutionary process? --- I think the ANC probably does see boycotts as part of the revolutionary process.

And you agree with it? Personally? --- I agree that they should use boycotts.

Yes. It can be used? --- Yes. Though it is very difficult.

Yes. Is the ANC attempting to prejudice, or to cripple industries /

industries in South Africa, or the economy of South Africa?
As part of the... --- Yes, it is trying to, yes.

And as proof of this I can refer you to Strategy and
Tactics, EXHIBIT 'K'13, page...

COURT: Well the witness has conceded that.

ADV SWANEPOEL: Very well.

Now you have said in your evidence, or in your statement
that SACTU is the ally of the ANC? --- That is correct.

And SACTU also concentrates on the Organisation of
Workers and Trade Unions? --- That is what it would like to
concentrate on. Yes. When I say "like to", I am not
quibbling, I mean, I don't think that SACTU as an organisation
has very great influence in this country.

The other document that you have handed in, EXHIBIT 'S',
that is a comparison between EXHIBITS 'B'1 and 'B'2, with a
view to establishing whether they could have been drawn up by
the same person. Your conclusion is, "It is extremely
unlikely that the two documents could be by the same author."
--- Yes.

Now you refer to four points. --- Yes, that is correct. 20

Those are the only points that indicate to you that
these documents were drawn up...were possibly drawn up by
different people? Is that correct? --- Those are the four
points that seem to me very important.

Will you just have a look at point four. --- Yes.

I want to put it to you that your conclusion there is
not correct. Or your information was not correct. If you
accept that the document, Social Background, was not drawn up
in 1981 but in 1980, then your point 4 falls away. Is that
correct? --- I don't see that, because if it was drawn up 30
in 1980, why was it then not sent immediately?

It was sent. That was the evidence. It was sent out in 1980. --- I understood from the charge sheet that it was despatched in 1981.

Yes, but a copy of it was sent by the accused a year before that. In other words, in 1980. If you accept that, point 4 falls away. --- Is that the evidence that has been before the Court?

Yes, you can take my word for it. --- Oh. Very well, then my point 4 does fall away. I was working from the charge sheet.

Yes. Your first point,... --- There is one strange thing about that. The document, Social Background, describes this power struggle that takes place between Morby and Urwin and describes the conclusion of that power struggle. And my informants tell me that that was not concluded until the beginning of 1981.

But that is hearsay sir. --- Well, that is the information that I had at my disposal. So I am puzzled.

Yes. Your first point, "there is the question of literary style". Would you agree with me that you are not an expert on literary styles, and that the Court would be in as good a position as you to interpret literary style? --- My degree at the University of York was a joint Honours Degree, I say I took Honours in History, because that is the conventional way in England of describing it, but in fact, it was in History and English Literature. I got first-class Honours for both.

Would you say you are an expert on the interpretation of literary style? --- Yes.

Would you agree with me, I think you say it in your statement, that the documents are different in nature. The

one is an academic analysis the other one is simply a report?

--- That is correct.

So one would expect a difference in style? -- Yes, but I tried to take that into account when making that concession in the argument. But what I am arguing is that even taking into account the fact that the two documents are written for different purposes, that nevertheless strategising is the kind of word that could just as easily have been used in both. It is a rather unpleasant academic jargon, in fact, more suited, if anything, to the trade union document than the other one.

But you refer to another point sir. There are differences in the political jargon and euphemisms, for instance, Social Background refers to the ANC and its allies as "the movement" and the other document does not." --- Correct.

I say it is not correct. --- Oh?

If you look at page 1 of the other document, that is EXHIBIT 'B'2, and I will read to you the third sentence: "I am submitting this report to try to draw attention to the problems arising in internal political work as regards the latter's relationship with the external wing of the movement in the forward areas." Clearly referring to the ANC. Turn also to page 3 of the same document. The first paragraph on that page: "On yet another level, I do work for the movement. I joined the ANC in late '77." Do you see, the words "the movement" are used in this document? --- It is used.

You made a mistake here? --- I made a mistake.

Yes. --- Though the euphemism is not used in quite the same way. But it is true.

Your second point sir, deals with the question of the

tone and temperament of each document. Are you an expert on analysing the tone and temperament of a document? --- Well yes. I mean, in the sense that I work with documents, it is my job.

Yes. --- I am not a psychologist, that is true.

The Court also works with documents. Would you agree with me, the Court is in as good a position as you to judge the tone and temperament of the document? --- Yes.

If you turn to page 1 of your document, EXHIBIT 'S', you say the report is written in a modest and unassuming fashion. --- That is correct.

The accused says in the document, at the bottom of page 1: I have picked up bits and pieces of experience as well as a network of contacts which has allowed me to become a fairly influential person in the left political circles that I move in, both black and white. My main roles are that of consultant, educator and strategist to a wide range of people and organisations." Is that modest and unassuming? --- It is a statement of fact, as she saw it.

Modest and unassuming is the question sir. --- If you ... that particular statement is not modest and unassuming, but the general tone of the whole document is. And that was the implication of my argument.

But then your report is a bit misleading. You should have said, "The major part of the report is written in a modest and unassuming fashion". Because the whole document is not in that fashion. --- Very well, I would be glad to alter the wording, if that is the way you would like to have it put. The major part of the document is written in a modest and unassuming fashion.

You say in the second paragraph, "The writer apparently

content to monitor and influence these from the fringes rather than directly involving herself in them." --- Again, yes, that is the impression I gained from the whole document.

Yes. But she says in the document that she is busy conceptualising an Unemployed Workers Union. And she is busy in her attempt to win over groups and organisations to an ANC position. Does that indicate to you that she worked from the fringes? -- I am afraid it does Your Lordship. She obviously couldn't involve herself directly in the organisation of an Unemployed Workers Union, which should be done through SAAWU - South African Allied Workers Union - which itself was an organisation which is, you know, was a completely different organisation and structure, and officials and people. And she would be presumably, acting in an advisory capacity.

Well, let me then read to you one passage at page 9 of the document. "Obviously I was recruited to work for the ANC. This I did by working to win over groups and organisations to an ANC position. In all aspects of my political work, which went much further than the particular areas I have been appointed to by the forward area". She says here that she worked to win over groups and organisations. Does that mean that she was working from the fringes? Rather than directly involve herself in the issues? --- Sorry. Could I just look at the section again? Was this on page 9?

Page 9, the middle. --- "By this stage I had already established a reputation for myself" From there?

No... -- I think my page order may be different, because the photocopy was very faint. Could you possibly show me the section?

Yes, /

Yes, certainly, I will mark it. In the middle of the page. "Obviously I was recruited." Do you see the passage? --- Yes, I do see the passage. She was still on the fringes of those organisations. There is no indication that she actually became a member of the particular organisations that she worked with.

Do you say that she did not directly involve herself in those issues? Is that your conclusion? I am referring to your statement. You say: "She was working from the fringes, she was not directly involving herself." --- That is correct, yes.

And is that your interpretation of the passage... --- That is my interpretation there. If she had directly involved herself, for example, in the Unemployed Workers Union, she would presumably have taken office in such a thing, or attempted to take office, and actually helped to run the organisation directly. Instead, she was content to function, as she says, in a consultancy and an advisory fashion. That is what I meant by the fringes.

COURT ADJOURNS UNTIL 11.30 : COURT RESUMES

WITNESS STILL UNDER OATH:

ADV SWANEPOEL CONTINUES CROSS-EXAMINATION: Mr Lodge, on page 2 of EXHIBIT 'S', you refer to her reluctance to compromise her legal above-ground political mobilisation activity by undertaking clandestine duties for the ANC beyond those that merely concerned maintaining communications with the forward area. --- Correct.

And then you said, it is not in your statement, that she refused to distribute literature for the anti-Republic Day campaign. Did you say that in your evidence? --- Sorry?

Did /

Did you say that she refused to distribute literature for the anti-Republic Day campaign? --- I think I did, yes.

Where do you get that information from? --- Sorry, this is going to...

Have a look at the top of page 15. That is the only paragraph, as far as I am concerned, that refers to the anti-Republic Day. --- "Thus I was asked to do some things for the anti-Republic Day campaign, to put them in communication with the person in Labour to send the messages to those people to recruit someone to do literature distribution and so forth."

Is that the passage that you had in mind when you say that she refused to distribute literature? --- Yes, because the implication I read from the document was that she did not do these things.

Where did you read that? "I was asked to do something". She doesn't say, "I did it", or "I didn't do it"? Please take your time sir. I mean, it is important. You made a specific statement under oath. I just want you to substantiate it. --- I took this account of her activities to be a fairly comprehensive account of what she had done, and so therefore in consequence I inferred from the document that she had not done these things. Because...

But where do you infer it from? --- From the fact that she mentions them in no other place.

So, she only refers to it in this passage? Do you agree with me? --- That is correct.

Yes. She says, "I was asked to do some things for the anti-Republic Day campaign". From that only you infer she refused to distribute literature? Is that what you are saying? --- And also on the previous page, "That my rela-

tionship to the forward area had not done much to facilitate my political work here, nor had I been able to contribute half of what I could have actually done for the forward area."

Those are the only passages that you rely on for the statement that you made in your evidence? And you are an expert on the analysis of language as well? --- Correct.

Yes. Now another point. You say that she is reluctant to compromise her legal above-ground political work with clandestine duties for the ANC? Look at the bottom of page 15, just before the last paragraph. She says: "Should I be helping to set up an underground network", doesn't that imply that she is prepared to set up an underground network for the ANC? She is not reluctant? --- From the previous paragraph - "If for example I should be setting up underground structures, then perhaps I should not be as openly politically active as I am. Particularly as there is reason to suspect that I have ANC connections." That is where I drew my conclusion that she was reluctant to do this.

Wouldn't you agree with me that it appears that she was quite prepared to, because she says, "Should I be helping to set up an underground network". --- I think the question was meant in a rhetorical sense.

Well, do you agree with me sir, that one can, from this sentence that I have read to you, one can draw the inference that she was prepared to assist the ANC in setting up an underground network? --- That could be an inference that is drawn from it, it is not the one I drew.

Yes. You also say in your document: "She was never clearly informed of the boundaries and the purposes of her work". --- Correct.

But she says, do you agree with me, in the document,

that /

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